

REMARKS:

In the foregoing amendments, claims 1-3 were canceled and respectively replaced with new claims 4-6. The new claims further define that the multiplex transmission serial communication line supports a plurality of different communication protocols, and the allocating of a frame format having a respective different header length to each of the different communication protocols used among the plurality of electronic devices, and subsequently identifying the different communication protocols in communications on the multiplex transmission serial communication line by the header lengths of the frame formats to enable coexistence of communications by the plurality of different communication protocols on the multiplex transmission serial communication line. These aspects of applicant's claimed invention are discussed throughout applicant's specification disclosure. See, for example, the paragraph bridging pages 14 and 15 of applicant's specification disclosure. New claims 4-6 are the only claims in the application for consideration by the examiner at this time.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent No. 5,490,134 of Fernandes *et al.* (Fernandes). The Official action stated that Fernandes discloses a versatile communication controller that multiplexes input signals that correspond to one or more protocols into a composite signal that utilizes one protocol. The Official action continued that the multiplex composite signal is transferred along a communication line and

de-multiplexed into the individual input signals when received. The Official action further stated that Fernandes presents the use of different communication lengths that include a serial transmission line.

Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fernandes in view of U.S. patent No. 5,588,123 of Loibl. This rejection is set forth in the paragraph bridging pages 2 and 3 of the Official action. The Official action acknowledged that Fernandes fails to disclose the use of the communication device therein for specific applications such as a construction machine or other motor vehicles. The teachings of Loibl were cited to cure this deficiency in the teachings of Fernandes.

Applicant respectfully submits that the teachings of Fernandes and/or Loibl do not disclose or suggest the invention as set forth in claims 1-3 within the meaning of 35 U.S.C. § 102 or 35 U.S.C. § 103.

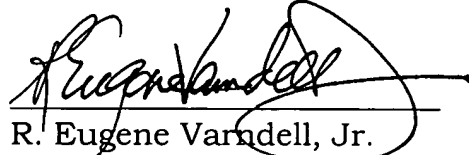
The Official action cited column 1, lines 25-50 and column 2, lines 4-5 and 20-24, of Fernandes. However, these or other portions of Fernandes do not contemplate or suggest the basic aspects of the presently claimed invention including a construction machine having therein a plurality of communication-networked electronic devices which communicate by using at least one of a plurality of different communication protocols, an electronic circuit in a construction machine, or a corresponding method that requires, *inter alia*, allocating a frame format having a respective *different header length* to each of the plurality of different communication protocols used among the plurality of

electronic devices, and identifying the different communication protocols in communications on the multiplex transmission serial communication line respectively by the *header lengths* of the frame formats to enable coexistence of communications by the plurality of different communication. The teachings of Loibl do not cure or rectify these basic deficiencies in the teachings of Fernandes. Therefore, applicant respectfully requests that examiner reconsider and withdraw the rejections of the claims as set forth in the outstanding Office action over the teachings of Fernandes and/or Loibl.

For the foregoing reasons, a formal allowance of claims 4-6 is respectfully requested. While it is believed that all the claims in this application are in condition for allowance, should the examiner have any comments or questions, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which become due, may be charged to our deposit account No. 22-0256.

Respectfully submitted,
VARNDELL & VARNDELL, PLLC

A handwritten signature in black ink, appearing to read "R. Eugene Varndell, Jr.", is written over a horizontal line.

R. Eugene Varndell, Jr.
Attorney for Applicants
Registration No. 29,728

Atty. Case No. VX002115
106-A S. Columbus St.
Alexandria, VA 22314
(703) 683-9730

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